THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Jacques Yves

Serial No.

10/568,495

Filed: February 15, 2006

CATHEPSIN CYSTEINE PROTEASE INHIBITORS

900Z O I YAM

Art Unit: To be assigned

Examiner: To be assigned

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR 1.97**

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- 3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION				
FILING DATE	MERCK CASE			

If this is inconvenient, additional copies will be submitted upon request. 6. In accordance with 37 C.F.R. 1.97, (check one) the attached information is filed within three months of the filing date of the captioned case. the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits. the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114. the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p). each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement. on item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement. no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement. Respectfully submitted, Respectfully submitted, Respectfully submitted, Respectfully submitted.				
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By. Nicole M. Beeler Attorney For Applicant(s)		foreign patent office in a counterpart foreign application, and, to the k after making reasonable inquiry, was known to any individual designation.	knowledge of the person	signing the certification
Attorney For Applicant(s)		Re	espectfully submitted,	
		S By	MCFUMBEE V. Nicole M. Beeler	eles_
Reg. No. <u>45,194</u>		<u>Att</u>	ttorney For Appl	icant(s)
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MERCK & CO., INC. Patent Dept., RY60-30	•			
P.O. Box 2000				
Rahway, N.J. 07065-0907	,		•	

Respectfully submitted,
Micole MBeeles
By. Nicole M. Beeler
Attorney For Applicant(s)
Reg. No. 45,194
MERCK & CO., INC.
Patent Dept., RY60-30
P.O. Box 2000
Rahway, N.J. 07065-0907
(732)594- <u>1077</u>
Date: May 8, 2006

• Su	bstitute for form 1449A/PTO			COMPLETE IF KNOWN			
I	INFORMATION DISCLOSURE			Application Number	10/568,495		
C	STATEMENT BY APPLICANT			Filing Date	February 15, 2006		
3	IAIEMENIDI	AP	PLICANI	First Named Inventor	Jacques Yves Gauthier		
				Group Art Unit	To be assigned		
	(use as many sheets	as n	ecessary)	Examiner Name	To be assigned		
Sheet	1	of	2	Attorney Docket Number	MC091YP		

U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No.	U.S. Patent Document Number Kind Code (if known)		Name of Patentee or Applicant Oate of Publicat Of Cited Document Cited Document			
		2003/0232863		Bayly et al.	12/18/2003		
		0 TT 40					
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	FOREIGN PATENT DOCUMENTS								
	G'i.		Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY			
	Cite No.	Office	ffice Number						
			CA 2,439,415		Axys Pharmaceuticals & Merck Frosst	09/12/2002			
			WO 00/55125		Axys Pharmaceuticals, Inc.	09/21/2000			
			WO 01/68645		Axys Pharmaceuticals, Inc.	09/20/2001			
						"			

Examiner Signature Date Considered

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., -7/12/2005)

-	Substitute for form 1449B/PTO				COMPLETE IF KNOWN
	INFORMATION DISCLOSURE		Application Number	10/568,495	
	CTATEMENT D	57 A TO	DI ICANIT	Filing Date	February 15, 2006
	STATEMENT BY APPLICANT			First Named Inventor	Jacques Yves Gauthier
	,		,	Group Art Unit	To be assigned
(use as many sheets as necessary)		Examiner Name	To be assigned		
Shee	t 2	of	2	Attorney Docket Number	MC091YP

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.				
		Robichaud, J et al., Bioorganic & Medicinal Chemistry Letters 14, pp 4291-4295 (2004), "Rational design of potent and selective NH-linked aryl/heteroaryl cathepsin K inhibitors"				
		Greenspan, PD et al., J Med. Chem, Vol 44, pp 4524-4534 (2001), "Identification of dipeptidyl nitriles as potent and selective inhibitors of cathepsin B through structure-based drug design"				
		Ward, YD et al., J. Med. Chem, Vol 45, pp 5471-5482 (2002), "Design and synthesis of dipeptide nitriles as reversible and potent cathepsin S inhibitors"				
		Volonterio, A et al., Organic Letters, Vol 4, No 13, pp 1827-1830 (2000), "Synthesis of partially modified retro and tetroinverso [NHCH(CF3)]-peptides"				
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Examiner Signature		Date Considered	

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SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Computer generated form* IDS Form* (IDS Folder), Merck & Co., Inc., -7/12/2005)